

**SUPREME COURT MINUTES
THURSDAY, JULY 26, 2007
SAN FRANCISCO, CALIFORNIA**

S055528**PEOPLE v. BARNWELL
(LAMAR)**

Opinion filed: Judgment affirmed as modified to reflect that defendant's sentence on count IV is imprisonment for 15 years to life.

Majority Opinion by: Corrigan, J.

-----Joined by: George, C. J., Kennard, Baxter, Werdegarr, Chin, & Moreno, JJ.

S093694**HARDY (JAMES EDWARD) ON
H.C.**

Opinion filed: H.C. granted, penalty reversed. The petition in Hardy II (S093694) is granted in part and denied in part; the judgment is vacated insofar as the penalty of death was imposed. The petition in Hardy I (S022153), to the extent it was denied. Based on the claim that trial counsel was ineffective for failing to investigate and present reasonably available mitigating evidence, is dismissed as moot. The balance of the petition in Hardy I is denied.

Opinion by: Werdegarr, J.

-----Joined by: George, C. J., Kennard, Baxter, Chin, Moreno, and Corrigan, JJ.

S135160

C044400 Third Appellate District

**O'CONNELL (KENDRA) v.
CITY OF STOCKTON**

Opinion filed: Judgment affirmed in full.

Majority Opinion by: Kennard, J.

-----Joined by: George, C. J., Werdegarr, and Moreno, JJ.

Dissenting Opinion by: Corrigan, J.

-----Joined by: Baxter and Chin, JJ.

S152307

B192315 Second Appellate District, Div. 1

PEOPLE v. MENDEZ (JOSE)

The time for granting or denying review in the above-entitled matter is hereby extended to August 27, 2007.

S152674 F050507 Fifth Appellate District**PEOPLE v. GREGORY (EDWIN)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 31, 2007.

S153097 B182335 Second Appellate District, Div. 3**PEOPLE v. ALLISON (TERRELL)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 2, 2007.

S049596**PEOPLE v. BRYANT
(STANLEY), SMITH (DONALD
FRANKLIN) & WHEELER
(LEROY)**

Extension of time granted.

Good cause appearing, and based upon Assistant State Public Defender Kathleen M. Scheidel's representation that she anticipates filing appellant Stanley Bryant's reply brief by the end of October 2007, counsel's request for an extension of time in which to file that brief is granted to October 1, 2007. After that date, only one further extension totaling about 30 additional days will be granted.

S098318**PEOPLE v. HENDERSON
(PAUL NATHAN)**

Extension of time granted.

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to October 1, 2007.

S147749**HOLLOWAY (DUANE) ON
H.C.**

Extension of time granted.

Good cause appearing, and based upon Assistant Federal Public Defender Harry Simon's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by October 25, 2007, counsel's request for an extension of time in which to file that document is granted to September 25, 2007. After that date, only one further extension totaling about 30 additional days are contemplated.

S149364 E039251 Fourth Appellate District, Div. 2 **PEOPLE v. LOPEZ (ENRIQUE GARCIA)**

Extension of time granted.

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to September 5, 2007.

S149898 C045935 Third Appellate District **PEOPLE v. GONZALEZ (SILVESTRE GARCIA)**

Extension of time granted to August 24, 2007, to file appellant's (Luis Arriaga) answer brief on the merits.

S152667 D047875 Fourth Appellate District, Div. 1 **PEOPLE v. SOPER (JAMES DANIEL)**

Extension of time granted.

On application of respondent and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to August 27, 2007.

S153902 **PARSON (RICHARD R.) ON H.C.**

Extension of time granted.

Good cause appearing, and based upon Supervising Deputy Attorney General Charles A. French's representation that he anticipates filing the informal response to the petition for writ of habeas corpus by October 26, 2007, counsel's request for an extension of time in which to file that document is granted to September 28, 2007. After that date, only one further extension totaling about 27 additional days is contemplated.

S151328 F049552 Fifth Appellate District **PEOPLE v. CASTRO (ARTURO RAMOS)**

Counsel appointment order filed.

Upon request of appellant for appointment of counsel, Russell Babcock is hereby appointed to represent appellant on the appeal now pending in this court.

S152632 C052852 Third Appellate District **PEOPLE v. LEE (CALVIN EARL)**

Counsel appointment order filed.

Upon request of appellant for appointment of counsel, Patricia A. Andreoni is hereby appointed to represent appellant on the appeal now pending in this court.

S152693 F051122 Fifth Appellate District

Counsel appointment order filed.

Upon request of appellant for appointment of counsel, John F. Schuck is hereby appointed to represent appellant on the appeal now pending in this court.

PEOPLE v. RAMOS (RICARDO)

S152919 B178945 Second Appellate District, Div. 8

Counsel appointment order filed.

Upon request of appellant for appointment of counsel, Fay Arfa is hereby appointed to represent appellant on the appeal now pending in this court.

PEOPLE v. GREEN (DEROY JOHN)

S153247 A106553 First Appellate District, Div. 2

Counsel appointment order filed.

Upon request of appellant for appointment of counsel, the First District Appellate Project is hereby appointed to represent appellant on the appeal now pending in this court.

PEOPLE v. MAYZES (MIGUEL EDWARD)

S029843

PEOPLE v. BECK (JAMES DAVID) & CRUZ (GERALD DEAN)

Order filed. Appellant Gerald Cruz's "Application for Leave to File Opening Brief Longer Than 95,200 Words" is granted.

S154078

BREAUX (REGGIE) v. S.C. (PEOPLE)

Transferred to CA 2 for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S154338 E043292 Fourth Appellate District, Div. 2

Transferred to CA 4/2 for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal. 2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

PEOPLE v. MORRIS (ROBERT W.)

S154446**THOMAS (KEITH) v. S.C.
(PEOPLE)**

Transferred to CA 2 for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S154560**BRADFORD (RAYMOND
ALFORD) v. S.C. (PEOPLE)**

Transferred to CA 5 for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S154639**WRIGHT (RICHARD) v. S.C.
(PEOPLE)**

Transferred to CA 1 for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.